

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN ROGER SOMERVILLE**, on March 23, 2001
at 3:00 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Roger Somerville, Chairman (R)
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)
Rep. Carol C. Juneau, Vice Chairman (D)
Rep. Darrel Adams (R)
Rep. Joe Balyeat (R)
Rep. Debby Barrett (R)
Rep. Ronald Devlin (R)
Rep. Steven Gallus (D)
Rep. George Golie (D)
Rep. Donald L. Hedges (R)
Rep. Jim Keane (D)
Rep. Gary Matthews (D)
Rep. William Price (R)
Rep. Allen Rome (R)
Rep. Frank Smith (D)
Rep. Donald Steinbeisser (R)
Rep. Karl Waitschies (R)

Members Excused: Rep. Dave Gallik (D)

Members Absent: None.

Staff Present: Donna Huffman, Committee Secretary
Leanne Kurtz, Legislative Branch

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 448, HJR 37 03/23/01.
Executive Action: HJR 36, HJR 37.

HEARING ON SB 448

Sponsor: Senator B.F. 'Chris' Christiaens, SD 23.

Proponents: Senator Jim Elliot, SD 36; Elthea Butcher, Secretary of Thompson Falls Senior Citizens; Wally Melcher, Montana Association for Independent Disability Services and Montana Association for Rehabilitation and DDSAC; Noel Larrivee, Montana Transit Association; Mike Mayer, Missoula; Jennifer Cerutti, Summit Independent Living Center; Viola Spain, Summit Independent Living Center; Deborah Swingley, Executive Director of The Development and Disabilities Advisory Council and Montana Transportation Partnership; Kathy Jaynes, Director of Fergus County Council on Aging; Betty Beverly, Executive Director of Montana Senior Citizens Association; Joanne Perkins, Summit Independent Living Center; Sheila James, Summit Independent Living Center; Pamela Braach, Granite Transit Program in Philipsburg, Montana; Harry Smith, AARP; Geri Carman, Dawson Urban Transit; Mike Barrett, Poet; Colleen PanKrantz, Valley City Transit; Deanna Theilman, Eagle Transit; John Yuhass, Ravalli County Council on Aging.

Opponents: Bob Gilbert, Self.

Informational Witnesses: Pat Saindon, Administrator for Rail Transit and Planning Division for Montana Department of Transportation.

Opening Statement by Sponsor:

Senator Christiaens said this bill would provide funding for transportation services for senior citizens and persons with disabilities. This bill would add three dollars to personalized license plates. There is a growing number of seniors in the State of Montana, as well as rising numbers of people with disabilities and the problems they face with transportation. He said under the Americans with Disabilities Act, it is a requirement that individuals with disabilities are afforded accommodations with travel.

Proponents' Testimony:

Senator Elliot said he represents the counties of Sanders and Lincoln, there are a large number of senior citizens and disabled people in those counties. They support SB 448.

Elthea Butcher said she feels she represents senior citizens and disabled people in Sanders County. She said her county has very

little industry and is fast becoming a retirement community. She supports SB 448.

Wally Melcher said three areas of need for transportation are: comprehensiveness of coverage such as the Dial-a-Ride Bus; transportation for individuals who live in residential services, such as community homes across the state; and all area's of the state that do not have transportation at all. The passage of SB 448 accommodates a variety of solutions to transportation problems.

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Noel Larrivee handed out a packet containing information on a survey conducted for the Department of Transportation by an independent consultant in Colorado. This study evaluates or assesses the transportation needs of three target populations, the elderly, people with disabilities and low income people. **EXHIBIT(trh66a01)**. This bill would provide additional operating funds for those people. **EXHIBIT(trh66a02)**.

Mike Mayer said he relies on family and friends and the local bus company. There are not enough services in Missoula to meet the demand and it is difficult to get places sometimes because of conflicting times with the buses schedule. Also he is a director of Summit Independent Living Center in Missoula, which is an advocacy and resource center for people with disabilities. They provide service in the Missoula area and six other counties in the western part of the state. This bill is a beginning point for a strong foundation.

Jennifer Cerutti said this bill would provide more money for transportation for seniors and people with disabilities. She supports SB 448. **EXHIBIT(trh66a03)**.

Viola Spain said she also depends on the bus system in Missoula. She supports SB 448. **EXHIBIT(trh66a04)**.

Deborah Swingley said Montana Transportation Partnerships is a coalition of non-profit organizations, state councils and state agencies serving persons with disabilities and seniors. This coalition was developed because coordinated transportation options continued to be a concern for those needing to go to the doctors office, buying groceries and how they get to work. She handed in letters from Statewide Independent Living Council, **EXHIBIT(trh66a05)**, and Montana Association for Rehabilitation, **EXHIBIT(trh66a06)**.

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Kathy Jaynes handed out a letter from Fergus County Council on Aging, **EXHIBIT(trh66a07)**. This letter provides an idea of what is going on across the state with transportation services. They are barely able to provide minimal transportation service to the central Montanans who need it most. They support SB 448.

Betty Beverly said their office gets calls on a daily basis about transportation problems in Montana. Many of their members are on fixed incomes, as the disabled are, and they need help.

Joanne Perkins said transportation needs for seniors are not being met in Montana. The purchase of personalized license plates is a very good source of funding, those who choose to purchase those plates can most afford the luxuries in life. They should feel good they are contributing to a much needed resource.

Sheila James said she supports SB 448 and handed out letters from Travis Hoffmann and Andrea Dahl in support.

EXHIBIT(trh66a08), **EXHIBIT(trh66a09)**, **EXHIBIT(trh66a10)**.

Pamela Braach said they were able to begin their program through the grant funding, but once the grant funding ran out, they were no longer able to offer rides to seniors to Missoula, Butte and Helena for those in need of medical assistance on-a-once a month basis. **EXHIBIT(trh66a11)**.

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Harry Smith said AARP supports SB 448.

Geri Carman said Dawson Urban Transit supports SB 448.

Mike Barrett handed in poems. **EXHIBIT(trh66a12)**.

Colleen PanKratz said Valley City Transit supports SB 448.

Deanna Theilman said Eagle Transit supports SB 448. A letter from Jim Atkinson, Director IX Agency on Aging was handed in **EXHIBIT(trh66a13)**.

John Yuhas said Ravalli County Council on Aging supports SB 448.

Comments from Bus Riders, February 19, 1998, was handed in **EXHIBIT(trh66a14)**. W Yellowstone Foundation, Carolyn Colman.

Havre Senior Center sent letters of support in for SB 448. **EXHIBIT(trh66a15)**.

Opponents' Testimony:***{Tape : 1; Side : B; Approx. Time Counter : 20}***

Bob Gilbert said he does not deny there is a need for this service. He said he used to work hundred hour weeks as a truck driver to be able to have what he has today. He said this bill would be asking less than 10% of the people who buy personalized license plates, to fund the statewide program. This program is beneficial, but if it benefits all, why don't all pay. The three dollar fee this bill would put on personalized license plates, is mandatory. He suggested to amend the bill and make it statewide where everyone would pay.

Questions from Committee Members and Responses:

Rep. Devlin asked **Senator Christiaens** referring to bill about school districts participating, does this mean school buses that are parked during the day, could be used for public transportation. **Senator Christiaens** said they are looking for coordination from anyone who has vehicles and the ability to provide public transportation.

Rep. Adams asked **Mr. Larrivee** on your chart under annual need, how he determines the annual need. **Mr. Larrivee** said in the survey, this particular consultant contacted all of the providers throughout the state according to the chart.

{Tape : 2; Side : A; Approx. Time Counter : 0.3}

Rep. Price asked **Senator Christiaens** if he considered using a 25 cent fee on all license plates, instead of this proposed fee. **Senator Christiaens** said he did not, he does not have a preference as long as there is money.

Chairman Somerville said to **Senator Christiaens**, an amendment has been offered to remove the new section 6, which provides additional funding from the Lewis & Clark Bicentennial license plates. If that does happen, he asked **Senator Christiaens** if he had any other sources to fund this program. **Senator Christiaens** suggested the State Fund Reserve Trust.

Closing by Sponsor:

Senator Christiaens said there will be coordination and collaboration between all people who are providing transportation to some of the very needy people.

HJR 36:

Rep. Bookout-Reinicke handed out a handbook for Emergency Responders for Radiological Emergencies for HJR 36.

EXHIBIT(trh66a16).

HEARING ON HJR 37

Sponsor: Rep. Jeff Pattison, HD 95.

Proponents: Rep. Steve Gallus, HD 35; Mark Cadwallader, Self; Marga Lincoln, AERO.

Opponents: none.

Informational Witnesses: Pat Saindon, Administrator of Rail Transit Planning Division for Montana Department of Transportation; Jeff Thomas, Member of Great Divide Cycling Team.

Opening Statement by Sponsor:

Rep. Pattison said through the testimony we have talked about some of the safety issues on bicycle traffic safety. This bill is a resolution requesting the Legislative Council designate an appropriate interim committee or sufficient staff resources to study bicycle traffic safety.

Proponents' Testimony:

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Rep. Gallus said this is a resolution that the committee directed to set up a sub-committee for, and worked with Rep. Pattison and Colonel Bert Obert of the Montana Highway Patrol and people from the biking community to study some of the issues of safety.

Mark Cadwallader said he is in favor of HJR 37. He handed out supporting testimony from Phil Smith, bicycle Pedestrian Program Manager in Missoula, **EXHIBIT(trh66a17)**, and supporting testimony from Linda Gryczan, Alice B Toeclips Cyclery, Clancy, Montana **EXHIBIT(trh66a18)**.

Marga Lincoln said their non-profit organization, supports HJR 37. **EXHIBIT(trh66a19)**.

Opponents' Testimony: none.

Questions from Committee Members and Responses:

Rep. Balyeat asked **Mr. Thomas** if he sees problems or dangers with this that needs to be addressed in the near future. **Mr. Thomas** said there are a number of issues that need to be addressed, from motorists' and cyclists' stand point. He said the interim committee will hopefully address some of these issues.

Chairman Somerville asked **Ms. Saindon** how this resolution would tie in to SJR 6. **Ms. Saindon** said they would look at all safety issues that have to do with traffic and bicycle and pedestrian activities.

Chairman Somerville asked **Mr. Dave Galt, Director of Montana Department of Transportation**, if SJR 6 is already funded or if MDT will fund that. **Mr. Galt** said since they asked for the study on those codes, they would facilitate it and fund it if necessary. He does not anticipate a large funding problem, to have the funds necessary to do the other study.

Closing by Sponsor:

Rep. Pattison said this will address as many safety issues as possible for both bicycles and motorists. Education is a major factor in this study.

EXECUTIVE ACTION ON HJR 37

Motion/Vote: REP. GALLUS moved that HJR 37 DO PASS. Motion carried 18-0.

Rep. Pattison will carry HJR 37 to House.

A letter dated March 16th, 2001, was handed in on April 9th, 2001 from Montana Department of Transportation concerning SJR 6. The letter stated: Based on sections of the Montana Code Annotated not meeting current practices, outdated sections, ambiguities, and omissions, the Montana Department of Transportation requested a review of Title 61, Chapter 8 TRAFFIC REGULATIONS, as reflected in Senate Joint Resolution 6. **EXHIBIT** (trh66a21).

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EXECUTIVE ACTION ON HJR 36

Motion: REP. ADAMS moved that HJR 36 DO PASS.

Rep. Balyeat brought up an amendment on Page 1, line 22 through line 29, Strike "WHEREAS" on line 22 through "; and on line 29

Motion/Vote: REP. Balyeat moved that AMENDMENT #HJ003602.ALK DO PASS. Motion carried 16-0.**EXHIBIT**(trh66a20).

Motion/Vote: REP. ADAMS moved that HJR 36 DO PASS AS AMENDED. Motion carried 18-0.

Rep. Bookout-Reinicke will carry HJR 36 to House.

ADJOURNMENT

Adjournment: 5:00 P.M.

REP. ROGER SOMERVILLE, Chairman

DONNA HUFFMAN, Secretary

RS/DH

EXHIBIT (trh66aad)